

REMARKS

Claims 1-20 are pending, and Claims 1 and 15 have been amended to clarify the subject matter of the present invention. Reconsideration of this application in view of the above amendment and following remarks is respectfully requested.

(1) Claims 1-2, 9-16 and 18-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Camp, Jr. (6,411,826) in view of Rudisill et al. (6,272,324) and Lutnaes (6,342,738).

(2) Claims 3-8 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Camp, Jr. (6,411,826) in view of Rudisill et al. (6,272,324) and Lutnaes (6,342,738), and further in view of Nakada et al. (6,243,592).

Camp, Jr., as read by applicant, teaches a flip-type terminal used as cellular radiotelephones including GPS receivers. This terminal would incorporate a patch antenna including a conductive layer for receiving electromagnetic signals particularly global position signals. Several alternatives for placing the patch antenna are disclosed, i.e. at the top of the terminal adjacent the speaker or adjacent the keypad. As noted by the Examiner, Camp, Jr. fails to teach a hinge, a printed circuit, a magnet on the flip and a switch on the main body.

Rudisill, as read by applicant, relates to portable radio communication devices having a hinged cover and, more specifically, to a method and apparatus for establishing an electrical connection between transceiver electronics in the main body of the radio communications device and remote electrical components in the hinged cover. As noted by the Examiner, Rudisill does not disclose a flip having a magnetic element and the main

body having a switch.

Lutnaes, as read by applicant, teaches a portable radio telephone system that can be switched on by opening out a flap, and switched off by closing the flip. It uses a hinge switch to such as a magnet and reed switch and other to inform the CPU that the switch is closed or opened.

Nekada, as read by applicant, discloses a built-in antenna without deterioration of gain. In order to minimize the area occupied by a board of a built-in antenna, a radiation element of a built-in antenna is mounted on an internal wall of a case, and a conductor is provided which is capable of electrically connecting the radiation element to a power feed circuit provided on the board. To ensure sensitivity over to receiving ranges, an antenna radiation element is provided with a branch where one end of a longer radiation element is connected to one end of a shorter radiation element. The other ends of the longer and shorter radiation elements are open ends and are positioned in close proximity to each other so as to form gap between them.

Claim 1 has been amended to recite that:

a body including a position sensing receiver, which is mounted to a main board,
positioned adjacent to a lower end of the body and a switch mounted thereof; a flip
having a magnetic element adapted for attachment to said body; ...

a hinge means for mechanically connecting said body and said flip so that said flip
is selectively pivotable from: 1) an open position wherein said flip projects out from
the body at a predetermined angle relative to the body so that said switch is separated

from said magnetic element, thus permitting optimal position sensing communication by the microstrip patch antenna; and 2) a closed position wherein said flip is substantially parallel to said body so that said magnetic element comes in substantially close contact with said switch, thus shielding the microstrip patch antenna between said flip and said body; and

an RF flexible printed circuit having a ground wire for electrically connecting the position sensing receiver and a ground plate of the microstrip patch antenna so that the printed circuit flexes as said flip is moved between the closed position and the open position; and.

a controller for managing an incoming call when the flip-terminal is in the open position.

Claim 15 has been amended to recite similar features.

Support for the above amendment can be found in page 16, lines 4-7 and in page 16, lines 7-10. In particular, the length of the RF flexible printed circuit is shortened by positioning the GPS receiver adjacent to a lower end of the body, thus minimizing the RF damages. Further, by connecting the ground wire of the RF flexible printed circuit with the ground plate of the microstrip patch antenna, the radio interference can be avoided and the radiation characteristic can be stabilized. It is respectfully submitted that none of the references, either alone or in combination, teaches or suggest these features, as recited in the amended claims 1 and 15.

Moreover, Camp, Jr., Rudisill et al., Lutnaes and Nakada do not specifically

disclose or teach about the incorporation of a magnet into the flip and the lead switch, as recited in the claims, so that they are closely positioned with each other during on-hook status and separated from each other during off-hook status to enable GPS receiving services. Further, applicant respectfully submits that Camp, Jr., Rudisill et al., Lutnaes and Nakada, either alone or in combination, show or teach that the position of the hinge coupled to flip is selectively adjusted to enable optimal position sensing communication, as recited in the independent claims 1 and 15.

The Examiner alleges that it would have been obvious to one skilled in the art at the time of the invention was made to have Camp modified by Rudisill, and further modified by Lutnaes to provide reliable operation of the contacts for on-hook and off-hook conditions. However, applicant notes that the on-hook and off-hook operations are provided for non-GPS communication applications. In addition, although Rudisill discloses a hinge for connecting a body and a flip for closing and opening operations, it fails to teach a selective opening of flip relative to the body to enable optimal position communication as recited in the independent claims.

Applicants respectfully submit that there would have been no motivation for one of ordinary skill to attempt to such a modification, as indicated in the Office Action, without improper hindsight by "use[ing] the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention," see *In Re Denis Rouffet*, 47 USPQ.2d 1453, 1457-58 (Fed. Cir. 1998), and no motivation has been provided by the Office Action to show reasons that the skilled artisan, confronted with the same problems as the inventor would select the elements from the cited prior art

references for combination in the manner claimed, see Id.

Other dependent claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the above remarks, reconsideration and withdrawal of all grounds of rejection in this non-Final Office Action, and allowance of the application are respectfully requested.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to kindly contact the undersigned at the telephone number listed below. If there are any fees due and owing, please charge Deposit Account No. 502-470.

Respectfully submitted,

CHA & REITER

By:

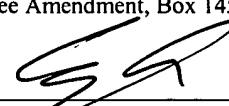

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